

IN THE UNITED STATES OF AMERICA  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 4:12CR206
	§	Judge Crone
GUSTAVO ALONSO GARZA-LOPEZ (4)	§	

**ELEMENTS OF THE OFFENSE**

You are charged in Count One of the Information with a violation of 21 U.S.C. § 846, Conspiracy to Possess with the Intent to Distribute a mixture or substance containing a detectable amount of marijuana. The essential elements which must be proved beyond a reasonable doubt in order to establish a violation of that section are:

1. That you and one or more persons, in some way or manner made an agreement to commit the crime charged in the Information, that is, to possess with intent to distribute at least 1000 kilograms or more of a mixture or substance containing a detectable amount of marijuana;
2. That you knew the unlawful purpose of the agreement and joined in it with the intent to further it; and,
3. That you knowingly and voluntarily joined in the agreement, that is, with the intent to further its unlawful purpose.

Respectfully submitted,

JOHN M. BALES  
United States Attorney

\_\_\_\_\_/s/\_\_\_\_\_  
ERNEST GONZALEZ  
Assistant United States Attorney  
Texas Bar No. 00789318  
101 E. Park Blvd., Suite 500  
Plano, Texas 75074  
(972) 509-1201  
(972) 509-1209 (fax)  
Ernest.Gonzalez@usdoj.gov

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed via electronic filing to defense counsel on May 7, 2014.

\_\_\_\_\_/s/\_\_\_\_\_  
ERNEST GONZALEZ